



Yeshiva University

REQUIREMENTS FOR WORKING WITH MINORS

General

Yeshiva University is committed to ensuring the well-being, safety and protection of minors (i.e., persons under 18 years of age) participating in University-run or affiliated programs or activities, or participating in other program and activities operating on any University campus. The intent of this Policy is to provide minors with a rewarding experience in a safe environment. **For purposes of this Policy, minors do not include persons enrolled as students at the University.**

To Whom Applicable

This Policy applies to all faculty, staff, students, volunteers and other representatives of the University and its affiliates participating in University-run or affiliated programs or activities involving minors (including internship programs, and outreach and community service activities). These programs may be for academic, athletic, recreational or other purposes; may be on or off any University campus; and may be in the United States or another country. This Policy also applies to all employees, volunteers and other representatives of non-University organizations or entities that operate programs or activities involving minors on any University campus.

This Policy excludes undergraduate and graduate academic programs and the minors enrolled in such programs as students. The University's Human Resources Department and/or Risk Management Department, in consultation with the University's Office of the General Counsel, also may exclude any other programs or activities.

IT IS THE RESPONSIBILITY OF THE PROGRAM DIRECTOR TO PROVIDE EACH PARTICIPANT WITH A COPY OF THIS POLICY AND ENSURE THAT EACH PARTICIPANT HAS COMPLETED ALL REQUIRED TRAINING AND BACKGROUND CHECKS (WITH SATISFACTORY RESULTS) PRIOR TO PARTICIPATING IN THE PROGRAM/ACTIVITY, AS WELL TO OTHERWISE ENSURE COMPLIANCE WITH THIS POLICY.

Notification

Except as provided in the next paragraph, prior to the commencement of the program/activity (recommended time is 4 weeks), the Program Director (or designee) must provide written notice to the Human Resources Department (with a copy to the Risk Management Department and Office of the General Counsel) of the details of the program/activity, including (i) the dates and locations of the program/activity, (ii) the general nature of the program/activities, and (iii) the names, home addresses, phone numbers and email addresses of all University participants. The Human Resources Department will oversee the completion of the training and background check requirements described below.

In connection with students participating in outreach and community service activities and similar Student Life and Student Club programs, prior to the commencement of the program/activity (recommended time is 4 weeks), the Program Director (or designee) must provide written notice to the Risk Management Department (with a copy to the Office of the General Counsel) of the general nature of the program/activity. The Program Director must oversee the completion of the required training and background checks.

Any requests for clarification as to whether (or how) a particular program/activity is subject to this Policy, or for a waiver to this Policy, should be sent to the Human Resources Department and the Risk Management Department (with a copy to the Office of the General Counsel).

Training

Each person who will be participating in the program/activity (whether Program Directors, faculty, staff, students, volunteers or other University representatives) must complete specific training on working with minors as determined from time to time by the Human Resources Department and/or Risk Management Department (in consultation with the Office of the General Counsel). This training must be taken **before** the individual begins working with minors.

Currently, the training consists of an online course offered by United Educators entitled: “Protecting Children: Identifying and Reporting Misconduct.” This course offers scenarios based on real-life cases to help recognize, prevent, and report sexual misconduct. In addition, administrators who are responsible for employing staff that will work with minors also have to watch the course entitled: “Protecting Children: Hiring Staff Who Work With Minors.” The courses can be accessed at:

FOR EMPLOYEES -- <https://learn.ue.org/UX05R994323/YUEmployee>

FOR STUDENTS -- <https://learn.ue.org/UX05R994323/YUStudent>

(Note: New users to this Site need to register and create an account.)

Additional training also may be required as determined by the Human Resources Department and/or Risk Management Department (in consultation with the Office of the General Counsel).

Background Check

In addition to completing this mandatory training, a background check is required of all individuals who regularly direct or supervise work with minors, including Program Directors, faculty, staff, students, volunteers, supervisors, and individuals who work one-on-one, stay overnight, or are regularly alone with minors. The background check must be completed (with satisfactory results) **before** the individual begins working with minors. Note that the consent of the individual is required for all background checks.

The Human Resources Department and/or Risk Management Department also may require additional screening, as well as periodic updates.

Rules

In all instances, each person working with minors must comply with the following rules:

- He/she must act as a positive role model to the minors.
- He/she must act in a caring, honest, respectful and responsible manner that is consistent with the mission and guiding principles of the University.
- He/she must not engage in any sexual activity with, make sexual comments or tell sexual jokes to, or share sexually explicit material with (or assist in any way to provide access to such material), any minor.
- He/she must not be alone with an individual minor. If one-on-one interaction is required by the terms of the Program, he/she should meet in open, well-illuminated spaces or rooms with windows observable by other adults in the Program, unless the one-on-one interaction is expressly authorized by the Program Director for a legitimate reason or is being undertaken by a health care provider.
- He/she must not meet with any minor outside of established times and location for the Program. Any exceptions require written authorization of the minor's parent/guardian and must include more than one adult in the Program.
- He/she must not invite an individual minor to his/her home. Any exceptions require authorization of the Program Director for a legitimate reason and written authorization of the minor's parent/guardian.
- He/she must not engage, or allow any minor to engage them, in romantic or sexual conversations, or related matters, unless required in the role of resident advisors, counselors, or health care providers.
- He/she must not engage or communicate with any minor through email, text messages, social networking websites, internet chat rooms, or other forms of social media at any time except and unless there is an educational or programmatic purpose and the content of the communication is consistent with the mission of the Program and the University. He/she also must use his/her University email account for any such communications.
- He/she must not touch any minor in a manner that a reasonable person could interpret as inappropriate. Any permissible touching should generally only be in the open and in response to the minor's needs, for a purpose that is consistent with the Program's mission, and/or for a clear educational, developmental, or health related (i.e., treatment of an injury) purpose. Any resistance from the minor should be respected.
- He/she must not engage in any abusive conduct of any kind toward, or in the presence of, a minor, including but not limited to verbal abuse, striking, hitting, punching, poking, spanking, or restraining. If restraint is necessary to protect a minor or other minors from harm, all incidents must be documented and disclosed to the Program Director and the minor's parent/guardian.
- He/she must not use, possess or be under the influence of alcohol or illegal drugs during the Program or when otherwise responsible for a minor's welfare.

Reporting of Violations

Every participant in the Program (whether faculty, staff, students, volunteers or other University representatives) is expected to monitor the actions of the other participants and must promptly report any violations of this Policy to the Program Director.

Mandated Reporters (such as a teacher or health professional) also must report any suspected child abuse or maltreatment to the Child Abuse Hotline (Mandated Reporter Hotline (800) 635-1522; Public Hotline (800) 342-3720) or other appropriate authorities. (For a Summary Guide for Mandated Reporters in New York, see <http://ocfs.ny.gov/main/publications/pub1159text.asp>). Notifying the University will not satisfy any legal reporting obligation of a Mandated Reporter. Other persons also should report any suspected child abuse or maltreatment to such hotlines or other authorities.

The victim, or anyone else who has knowledge of the violation, also may report violations of this Policy to the Program Director.

Immediately upon the Program Director's knowledge of a violation of this Policy, the Program Director must inform the Human Resources Department, the Risk Management Department, the Office of the General Counsel and other University officials (as appropriate). In addition, the Program Director must promptly report violations of any other University policies as set forth in the applicable policy. Violations also should be reported to the University's Security Department as appropriate.

The University prohibits retaliation against any person who in good faith makes a report under this Policy.

University Response

The University will respond promptly to any report of a violation of this Policy and take steps to assure the safety of minors and comply with applicable legal reporting requirements.

Any University faculty or staff member who violates this Policy, including any of the conduct rules set forth herein, may be subject to discipline, up to and including termination of employment.

Notification of a Charge/Crime

Every participant in the Program who is charged with, or convicted of, a sexual offense by any local, state, federal or foreign entity must immediately report such charge/conviction to the Program Director, who in turn must immediately inform the University's Human Resources Department and Risk Management Department. A determination will then be made (consistent with applicable law) if the participant will be permitted to continue to participate in the Program.

Non-University Program

Non-University organizations or entities that operate programs or activities involving minors on any University campus are subject to this Policy and will be required to ensure compliance thereof by its employees, volunteers and other representatives (unless otherwise determined by the University's Human Resources Department and/or Risk Management Department, in consultation with the University's Office of the General Counsel). These non-University organizations and entities will be required to execute a

standard rider to promote the safety and security of minors consistent with this Policy and maintain appropriate liability insurance.

Questions

Questions regarding reporting obligations, the circumstances under which a report is required, or any other questions regarding this Policy may be directed to the University's Office of the General Counsel at (646) 592-4400.